

REMARKS

Claims 24, 26 to 28, 30, 35 to 37, 39, 47 and 48 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,655,995 to Freeman et al. (hereinafter "Freeman"). Claims 31 to 33 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of U.S. Patent No. 6,690,758 to Elkins (hereinafter "Elkins").

Claims 24 to 35 and 48 have been canceled without prejudice. Claim 36 has been amended, and claims 49 to 60 added. Support for the amendment is found at [0051] for example, reference being made to the disclosure found in U.S. Publication No. 2007/0165767 describing the present application. Support for the new claims is found for example at [0056], [0057], [0068] and [0080].

Reconsideration of the application based the following remarks is respectfully requested.

35 U.S.C. §102 Rejections

Claims 24, 26 to 28, 30, 35 to 37, 39, 47 and 48 were rejected under 35 U.S.C. §102(b) as being anticipated by Freeman.

Freeman discloses a boiling water reactor with a bottom tie plate 104 with an outer flow channel 110 for an eight by eight fuel configuration, typically found in boiling water reactors.

Applicants thank the Examiner for the withdrawal of the previous rejection, and have hereby canceled claims 26 to 35 relating solely to the terminal end piece. The Applicants note the Examiner's objections on functional language and have thus concentrated on a PWR fuel assembly as recited in claim 36.

Based on helpful previous discussions with Examiner Palabrica and Applicants' representative on other cases, Applicants have amended claim 36 to recite the open structure of the guide tube of a pressurized water reactor fuel assembly more clearly. Claim 36 now recites that the the guide tubes of the support skeleton having openings for receiving rods of an assembly for controlling and stopping the pressurized water nuclear reactor, as discussed in the present specification at [0051] for example.

The tie rods 136 in Freeman do not have such openings, but rather are closed to contain fuel pellets, as clearly shown in Freeman in Fig. 1.

Withdrawal of the rejections under 35 U.S.C. §102(b) is respectfully requested.

35 U.S.C. §103(a) Rejections

Claims 31 to 33 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Elkins. In view of the amendment above, withdrawal of the rejection to claims 31 to 33 and 40 under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Elkins is respectfully requested.

New Claims

New claims 49 to 53 describe further structural features simply not found in boiling water reactors, and are respectfully submitted as patentable over Freeman.

New independent claim 54 removes the limitation in claim 36 that the noses project. Previously added limitations, including “the noses being arranged in the nodes of the substantially regular network in order to be positioned in a longitudinal continuation of at least a majority of the fuel rods of the support skeleton,” are believed to be the reason for the withdrawal of the previous rejection, and the projection limitation is respectfully submitted as not being necessary for patentability of the present claim 54. Claims 55 to 60 add further PWR structural limitations.

CONCLUSION

It is respectfully submitted that the application is in condition for allowance and applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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